

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

AMERICAN PATENTS LLC,

Plaintiff,

v.

MEDIATEK INC., MEDIATEK USA INC.,
BROADCOM PTE. LTD., BROADCOM
CORPORATION, LENOVO (SHANGHAI)
ELECTRONICS TECHNOLOGY CO. LTD.,
LENOVO GROUP, LTD., NXP
SEMICONDUCTORS N.V., NXP B.V., NXP
USA, INC., QUALCOMM INCORPORATED
and QUALCOMM TECHNOLOGIES, INC.,

Defendants.

CIVIL ACTION NO. 6:18-CV-339-ADA

**NOTICE OF SUPPLEMENTAL AUTHORITY REGARDING SPECIALLY
APPEARING LENOVO DEFENDANTS' MOTION FOR PROTECTIVE ORDER,
RECONSIDERATION, AND STAY (DKT. 125) AND MOTION TO DISMISS FOR
IMPROPER SERVICE OF PROCESS, LACK OF PERSONAL JURISDICTION, AND
IMPROPER VENUE (DKT. 44)**

Specially Appearing Defendants Lenovo (Shanghai) Electronics Technology Co., Ltd. and Lenovo Group Ltd. (the “Lenovo Defendants”) respectfully provide this notice of a recent decision issued by the District of Delaware that supports the Lenovo Defendants’ Motion for Protective Order, Reconsideration, and Stay (Dkt. 125) and Motion to Dismiss for Improper Service of Process, Lack of Personal Jurisdiction, and Improper Venue (Dkt. 44) (the “Motions”). Both Motions assert that this Court lacks personal jurisdiction over the Lenovo Defendants. The District of Delaware addressed a similar issue in *3G Licensing, S.A., Koninklijke KPN N.V., et al. v. Lenovo Group, Ltd., et al.*, No. 17-cv-84-LPS-CJB, Dkt. 308 (D. Del. Aug. 22, 2019) (“*3G Licensing*”) (attached hereto as **Exhibit A**).

The plaintiffs in *3G Licensing* asserted personal jurisdiction over Lenovo Group Ltd. (“LGL”) based on stream of commerce and agency theories, relying significantly on the Annual Report. (Ex. A at 7.) As in this case, LGL, in support of its motion, submitted a declaration from Kurt Cranor. (Ex. A at 11.) Applying a *prima facie* burden on the plaintiffs, the Magistrate Judge recommended that LGL’s Motion to Dismiss for Lack of Personal Jurisdiction be granted with prejudice. (*Id.* at 1.) The Magistrate Judge also denied the plaintiffs’ request for jurisdictional discovery. (*Id.* at 18.)

Pursuant to Fed. R. Civ. P. 72(b)(2), written objections to a Magistrate Judge’s report and recommendation are due within 14 days of being served with a copy of the report and recommendation. In *3G Licensing*, this deadline was September 5, 2019. To date, no objection has been filed by the *3G Licensing* plaintiffs. Therefore, the Magistrate Judge’s dismissal with prejudice of LGL for lack of personal jurisdiction is now a final decision of the District of Delaware.

Dated: September 16, 2019

Respectfully submitted,

/s/ Eric H. Findlay

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***Attorneys for Specially Appearing Defendants Lenovo
(Shanghai) Electronics Technology Co., Ltd. and Lenovo
Group Ltd.***

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2019, a true and correct copy of the foregoing NOTICE OF SUPPLEMENTAL AUTHORITY REGARDING SPECIALLY APPEARING LENOVO DEFENDANTS' MOTION FOR PROTECTIVE ORDER, RECONSIDERATION, AND STAY (DKT. 125) AND MOTION TO DISMISS FOR IMPROPER SERVICE OF PROCESS, LACK OF PERSONAL JURISDICTION, AND IMPROPER VENUE (DKT. 44) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

/s/Eric H. Findlay

Eric H. Findlay